



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

AGREED PLAN TO SAFELY REOPEN

LICENSEE: THE LOTUS BLACK LTD. d/b/a The Lotus Black

PREMISES: 1540 W. NORTH AVENUE

LICENSES: TAVERN (2665375), FOOD RETAIL (2665376)

ACCOUNT NUMBER: 459026

Pursuant to the Chicago Municipal Code Section 4-60-040(h), the City of Chicago Department of Business Affairs and Consumer Protection, the Local Liquor Control Commission, and the above-named Licensee have agreed to the following conditions to assure that the continued operation of Licensee's business will not cause a deleterious impact on the health, safety and welfare of the community.

- 1. Capacity, Prohibited Gatherings & Social Distancing:** Licensee will strictly enforce its limits on its maximum allowable patrons to use the interior which is currently 40% for food retail licensees that include a tavern license, allowing 39 persons maximum by its Occupancy Placard of 99, or such lesser number as may be required taking into account the safe Social Distancing and other requirements of Order of the Commissioner of Health of the City of Chicago No.2020-9. Licensee will prevent Prohibited Gatherings and will require that with regard to any Gathering that Social Distancing be maintained at all times. Licensee will not permit the volume of indoor music to interfere with employees' or customers' abilities to practice social distancing while talking or taking orders and there shall be no dancing on premises. All tables shall be stationed at a minimum of 6' apart. Licensee will maintain its limited indoor capacity as required by applicable mandate, or a lesser number as may be required by taking into account the safe Social Distancing and other requirements of that certain Order of the Commissioner of Health of The City of Chicago No.2020-9. In all situations, Licensee's largest tables will be limited to (6) six people per table (or to a lesser amount as may be required by applicable laws and ordinances) while

maintaining standard social distancing requirements. Licensee will funnel all customer entry and exits to one access point (except for in an emergency situation) in order to maintain accurate count of total occupancy at all times. In addition, management and security will manage patrons entering and exiting to maintain social distancing. Staff members responsible for monitoring occupancy shall utilize handheld counting clickers to track customers entering and exiting the premises. Except during ingress and egress, and utilizing washrooms and hand sanitizing facilities, Licensee will require all customers to remain seated. There shall be no dancing in the premises.

2. **Encouraging Limited Interactions:** If practical, Licensee will encourage cashless payment methods, encourage reservations to minimize waiting and facilitate time to clean and sanitize upon new seatings, encourage patrons to wait in vehicles or outdoors until they may be seated, and seat patrons immediately and limit patrons waiting outdoors in lines, or gathered in groups. During operating hours, if at maximum capacity, Licensee will employ trained staff to supervise customers in line, to enforce and keep in compliance all health and safety measures set forth and referred to in this Agreed Plan to Safely Reopen (the "Plan"), including any and all applicable governmental laws, ordinances, rules, guidelines and orders that may be in force from time to time, including the wearing of masks covering nose and mouth and Social Distancing requirements. If any of those waiting in line are not willing to comply with said health and safety measures, Licensee's employees will encourage them to depart.
3. **Customer and Employee Entry to Establishment:** Licensee's security staff will ensure that all persons (patrons, non-patrons, staff) other than those with a medical condition preventing the proper wearing of a mask, have and wear a mask upon entering Premises. If a patron has no mask, Licensee will provide one free of charge. All patrons will have their temperature taken upon entry to Premises. If any patron has a fever (CDC defines a fever as a temperature of 100.4 degrees or higher) they will be denied entry to Premises; those patrons that display any COVID-19 symptoms shall be denied entry. All employees will be encouraged to self-identify symptoms before leaving home and to stay at home if symptomatic. With regard to each of its employees, Licensee will, subject to applicable laws and ordinances, and in a manner prescribed by the Commissioner of Health for each day an employee reports to the workplace at the start of every work shift ask the employee the following questions to serve as a self-screening protocol: (1) Have you had a body temperature over 100 degrees Fahrenheit or have you used a fever reducer in the previous 24 hours to treat a body temperature over 100 degrees Fahrenheit? (2) Do you have a new cough that you cannot attribute to another health condition? (3) Do you have a new sore throat that you cannot attribute to another health condition? (4) Do you have new shortness of breath that you cannot attribute to another health condition? Each employee's temperature will be taken when they arrive for their shift. Employees with a fever as defined by the CDC or that otherwise exhibit symptoms of illness or that report that they are not feeling well shall not be

allowed to come to or remain at work. In the event that Licensee learns that any of Licensee's employees have tested positive for COVID-19 or that any employee has come in close contact with someone that has tested positive for COVID-19, Licensee shall not allow that employee at the business. Licensee will inform fellow employees of their possible exposure but maintain confidentiality as required by the Americans with Disabilities Act. Licensee will instruct all other employees to self-monitor for symptoms. Licensee will identify where the infected employee worked, as well as those individuals, including colleagues, customers, visitors, and vendors, who the infected employee came into contact with during the 14 days prior to testing positive or first displaying symptoms.

4. **Hand Washing & Sanitization:** Sanitization or hand washing facilities shall be made readily available to each customer at not less than six stations located throughout the Premises. In addition, Licensee will provide supplies and accommodations that allow employees to follow handwashing and other sanitation procedures and require employees to follow such procedures at reasonably regular intervals; employees will receive training on how to wash their hands. All staff will be reminded during the daily pre-shift meetings that must be washed at least every 30 minutes, and more often as required (e.g. contact with contaminant splash, surfaces, or items). Licensee will implement a zero-tolerance policy for staff members who do not abide.
5. **Protective Gear:** In all common spaces of the Premises (indoor and outdoor, and bathrooms) where customers are permitted, face coverings will be worn (over nose and mouth) by all customers or others visiting the Premises (except in those situations where otherwise permitted by applicable law, ordinance or government mandate). Customers will be permitted to remove their masks only while actively eating and/or drinking. Licensee will ensure that every employee who interacts with customers and is able to medically tolerate a mask is wearing a mask for the duration of a shift. Employees will receive training on how to wear and properly remove PPE, will be provided gloves in accordance with standard food handling guidelines, and ensure any dishwashers have access to equipment to protect eyes, nose and mouth from contaminant splash (face coverings, protective glasses and/or face shields).
6. **Visual Guidance:** Licensee will maintain and provide visual guidance throughout the Premises on hygiene standards for customers and employees and entry requirements including social distancing guidelines and/or criteria for customers to enter the Premises; Licensee will clearly mark any area (waiting lines, restrooms, etc.) where customers or employees line up with appropriate physical distancing guidance. Licensee will provide signage for any 3rd party delivery services on its process for redeeming orders; and if practical, Licensee will use digital messaging or communication boards for pre-shift communications.
7. **Cleaning & Sanitation:** Licensee will continue to utilize its own employees and continue to hire an outside firm to thoroughly clean and sanitize its Premises

high-touch areas and other surfaces. Licensee will thoroughly clean and sanitize its Premises prior to opening and upon being open throughout the day. High-touch front of house areas will be sanitized every 30 minutes and back of house between tasks. Bathrooms will be monitored, cleaned, and sanitized regularly. Staff will be trained to ensure safe and proper application of disinfectants. Licensee will provide disposable table items where possible (e.g. menus, containers, tables, chairs) and if practical, use fixed menu boards or digital menus. Licensee is currently using digital menus.

8. **Hours of Operation:** Licensee may be able to open to the public and shall only operate its business during the legally permissible hours of operation under its then current licenses in accordance with the Municipal Code of the City of Chicago and any and all other applicable governmental laws, ordinances, rules, guidelines and orders that may be in force from time to time. Specifically, Licensee will (a) cease all sales of alcoholic liquor for consumption on the premises between 1:00am, and the hour which the Licensee is permitted to resume alcoholic liquor sales under Section 4-60-130 of the Chicago Municipal Cod, and (b) Licensee will cease operation between 1:30a.m. and the legally established hour of opening. Licensee will lock the doors to the business at 1:30a.m. During the hours of closing, no person other than the Licensee or employees or members of the immediate family of the Licensee shall be permitted to remain inside the business or premises. Last call shall be announced not less than 30 minutes prior to the applicable closing time of Licensee's business. Licensee shall maintain a roster at the business of all current employees.
9. **Revised Requirements:** To the extent any or all of the provisions, laws, rules, regulations, guidelines, orders and/or provisions applicable to and imposed on the Licensee and its business by the State of Illinois and/or the City of Chicago (collectively the "Requirements"), including those Requirements enacted as a result of COVID-19, are revised, the Licensee shall be in compliance with said revised Requirements, the Licensee shall not be deemed to be in default of its obligations under this Plan. When, as, and to the extent any or all of such Requirements (including those requiring Social Distancing, requiring face coverings to be worn over nose and mouth, and forbidding Prohibited Gatherings) are rescinded the Licensee shall no longer be required to comply with same. The operation of Licensee's business and all other conditions of the Licenses are and shall continue to be governed by the City of Chicago Municipal Code, as may be amended from time to time.

The conditions of the Plan are legally binding and may be enforced by City of Chicago enforcement authorities under §4-60-040(h) of the Municipal Code of Chicago. Violation of the above-stated agreed conditions may result in the imposition of a fine and/or suspension or revocation of all business licenses issued to Licensee. Violations of the above stated agreed conditions may also result in the issuance of cease and desist orders prohibiting the activity which violates the conditions of the Tavern license.

The agreed conditions of this Plan shall apply to the business address of Licensee and to Licensee, and to all officers, managers, members, partners and direct or indirect owners of Licensee. The sale of the business to other persons purchasing or otherwise acquiring the membership units of Licensee does not void the conditions placed on the Licensee and any and all potential owners of Licensee shall be subject to the same agreed conditions set forth in this Plan.

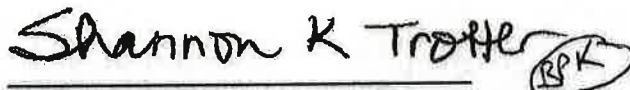

It shall be the duty of every person conducting, engaging in, operating, carrying on or managing the above-mentioned business entity to post this Plan next to the Tavern license certificate in a place at the business Premises.

LICENSEE: THE LOTUS BLACK LTD.

PREMISES: 1540 W. North Avenue, Chicago, IL 60642

By: 

Clarence Alford
President

Shannon Trotter, Commissioner
City of Chicago
Local Liquor Control Commissioner

Date: October 8, 2020